

TENTATIVE RULINGS

CIVIL / FAMILY LAW CASE MANAGEMENT CALENDAR

For: 4/21/2008

Monday

Dept: 1A

Tentative Rulings are proposed as orders to be issued at the hearing and are posted in advance for the convenience of the parties and their counsel. Any party objecting to the tentative ruling should promptly notify the opposing party of the substance of the objection with sufficient time to allow all parties, or their attorneys of record, to appear in person or by telephone at the scheduled hearing. Absent objection, the Court routinely adopts the tentative ruling as posted. Failures to appear, absent an order to appear, are deemed consent to the tentative ruling.

1. **1:00 PM** Case: CV34045 [S] SWEENEY v BURROWS
Type: QUIET TITLE Date Filed: 09/06/07
Event: FURTHER CASE MANAGEMENT CONF-CIVIL P= 8

Related cases on this calendar: CV34270 ,
PLNTFF: SWEENEY, MARK ATTY: MCDONOUGH HOLLAND & ALLEN
PLNTFF: SCOLARI, DIANE ATTY: MCDONOUGH HOLLAND & ALLEN
AKA: SWEENEY, DIANE
PLNTFF: MIHALY, ARPAD ATTY: MCDONOUGH HOLLAND & ALLEN
PLNTFF: MIHALY, DOROTHY ATTY: MCDONOUGH HOLLAND & ALLEN
PLNTFF: HAGEDORN, ALAN ATTY: MCDONOUGH HOLLAND & ALLEN
PLNTFF: HAGEDORN, GRECILDA ATTY: MCDONOUGH HOLLAND & ALLEN
AKA: HAGEDORN, GHEE
PLNTFF: DUNN, TIMOTHY ATTY: MCDONOUGH HOLLAND & ALLEN
PLNTFF: DUNN, LUCY ATTY: MCDONOUGH HOLLAND & ALLEN
DEFNDT: BURROWS, HOWARD ATTY: SEGERSTROM, KATE POWELL ESQ
Service Date/Type: 10/25/07 PER Answer Date: 12/17/07
DEFNDT: ALL PERSONS UNKNOWN

Tentative Ruling: Apparently the settlement has failed. The plaintiff has not filed a proper Proof of Service as to all named defendants. ("All Persons") Plaintiff must file a proper Proof of Service prior to the next hearing. The matter is not At-Issue and is set for further Case Management. By the next CMC, unless all defendants have filed responsive pleadings, Plaintiff is ordered to file defaults or dismissals of all defendants. The CMC is set for Dept 1A at 1:00 PM on 7/21/08.

2. **1:00 PM** Case: CV34270 [S] WILLIAMS v BURROWS, ETAL
Type: QUIET TITLE Date Filed: 12/06/07
Event: CASE MANAGEMENT CONFERENCE-CIVIL P= 8

Related cases on this calendar: CV34045 ,
PLNTFF: WILLIAMS, HOUSTON ATTY: LYNCH GILARDI & GRUMMER
PLNTFF: WILLIAMS, MARYANNA ATTY: LYNCH GILARDI & GRUMMER
DEFNDT: BURROWS, HOWARD ATTY: SEGERSTROM, KATE POWELL
Service Date/Type: 02/20/08 NAR 00/00/00

Tentative Ruling: **This matter has been dismissed.**

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3. 1:00 PM Case: CF7902 [M] FERGUSON ENTERPRISES v MARINA RIDGE LLC
Type: REAL PROPERTY Date Filed: 02/07/08
Event: OSC RE: FILING COMPLIANCE
VACATE IF ALL POS/ANSWERS ARE FILED
06/23/08 1:00 1A CASE MANAGEMENT CONFERENCE-CIVIL

PLNTFF: FERGUSON ENTERPRISES INC ATTY: SYKULSKI INC, GEORGE
DEFNDT: MARINA RIDGE LLC
DEFNDT: SCHMIDLI, KORY

Tentative Ruling: Plaintiff has not filed a proper Proof of Service as to all defendants. The OSC is continued over to the previously scheduled CMC time and date.

4. 1:00 PM Case: CV28644 [S] SANFILIPPO v MARTZ
Type: CIVIL COMPLAINT Date Filed: 07/02/02
Priority Info: AUTO STAY/INS CASE TIL 8/9/03
Event: FURTHER CASE MGT CONF/TRIAL SETTING
MR STERNICK ORDERED PRESENT

PLF/XD: SANFILIPPO, DENNIS J ATTY: FOLEY, LAW OFFICES OF KENNETH
DEF/XC: MARTZ, CORT ATTY: STERNICK, SIDNEY ESQ
Service Date/Type: 07/08/02 PER Answer Date: 08/07/02

Tentative Ruling: Judgment has previously entered, there shall be no further case management conferences.

5. 1:00 PM Case: CV33004 [S] MERRILL v HIGHLANDS
Type: BREACH OF CONTRACT Date Filed: 09/20/06
Priority Info: RELATED CASE: SC5726
Event: TRIAL SETTING

Related cases NOT on this calendar: SC5726 ,
PLF/XD: MERRILL, LARRY ATTY: IN PRO PER
DEFNDT: HIGHLANDS QUICK LUBE AUTO & TIRE ATTY: YOUNG.WARD ATTORNEYS
Service Date/Type: 09/27/06 PRS Answer Date: 06/21/07
DEFNDT: ALEXANDER, SETH ATTY: YOUNG.WARD ATTORNEYS
Service Date/Type: 00/00/00 Answer Date: 06/21/07
DEF/XC: BERRI, SAM ATTY: YOUNG.WARD ATTORNEYS
Service Date/Type: 09/27/06 PRS Answer Date: 06/21/07

Tentative Ruling: The case is At-Issue and is set for Settlement Conference in Dept. 1A approximately 120 days out and for Trial in Dept. 1 approximately 150 days out. The clerk's office shall provide a pretrial order with dates and times. Estimated trial length: 3 day jury trial.

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6. 1:00 PM Case: CV33600 [S] COLLINS v FOGGIATO
Type: BREACH OF CONTRACT Date Filed: 04/09/07
Priority Info: RECLASSIFIED FROM CF7453
Event: FURTHER CASE MGT CONF/TRIAL SETTING

Related cases NOT on this calendar: CF7453 ,
PLF/XD: D. COLLINS DEVELOPMENT INC ATTY: BROWN, ROGER A. ESQ
Service Date/Type: 00/00/00 Answer Date: 04/20/07
DBA: COLLINS DEVELOPMENT ASSOC: HARDIMAN & CARROLL
DEFNDT: SALVI, KEN ATTY: GERMAIN LAW OFFICES
Service Date/Type: 00/00/00 Answer Date: 04/05/07
ASSOC: GREENWELL, PATRICK B. ESQ
DEF/XC: FOGGIATO, JOHN ATTY: GERMAIN LAW OFFICES
Service Date/Type: 00/00/00 Answer Date: 04/05/07
ASSOC: GREENWELL, PATRICK B. ESQ
DEF/XC: FOGGIATO, DONNA ATTY: GERMAIN LAW OFFICES
Service Date/Type: 00/00/00 Answer Date: 04/05/07
ASSOC: GREENWELL, PATRICK B. ESQ

Tentative Ruling: There is a newly filed Cross Complaint for which responsive pleadings have not been filed. The matter is not At-Issue and is set for further Case Management. By the next CMC, unless all cross defendants have filed responsive pleadings, Plaintiff is ordered to file defaults or dismissals of all cross defendants. The CMC is set for Dept 1A at 1:00 PM on 7/21/08.

7. 1:00 PM Case: CV34414 [S] WELCH v STEVENSON
Type: BREACH OF CONTRACT Date Filed: 02/11/08
Event: OSC RE: FILING COMPLIANCE
VACATE IF ALL POS/ANSWERS ARE FILED
06/23/08 1:00 1A CASE MANAGEMENT CONFERENCE-CIVIL

PLNTFF: WELCH, MICHAEL ATTY: BACHRACH, WILLIAM H. ESQ.
DEFNDT: STEVENSON, DANIEL M.

Tentative Ruling: Plaintiff has not filed a proper Proof of Service as to all defendants. The OSC is continued over to the previously scheduled CMC time and date.

8. **1:30 PM** Case: CV32684 [S] CALIFORNIA PARKS v GRADO
Type: OTHER NON PI, PD, WD TORT Date Filed: 05/18/06
Priority Info: STAYED-BANKRUPTCY
Event: FURTHER CASE MANAGEMENT CONF - CIVIL
STATUS OF BANKRUPTCY
*DATE RESET DUE TO COURT CALENDAR CHANGE

PLNTFF: CALIFORNIA PARKS COMPANIES ATTY: SELLAR HAZARD MANNING FICENEC
DBA: URBAN PARK CONCESSIONAIRES
DEFNDT: GRADO, KATHY ATTY: LEVINSON, LAW OFFICE OF BARRY
Service Date/Type: 08/25/06 S/M Answer Date: 09/28/06
AKA: MCINTOSH, KATHY

Tentative Ruling: Bankruptcy proceedings involving these parties are currently proceeding. The next Case Management hearing shall be in Dept. 1A at 1:00PM on 7/21/08.

9. 2:00 PM Case: CV32335 [S] PAGE v PAGE
Type: DISSOLUTION WITH MINOR CHILDRE Date Filed: 01/19/06
Priority Info: NSF CK CLRD*STATUS JDMT GRNTD*
Event: FURTHER CASE MANAGEMENT CONF-JUDGMENT P= 8

PETNR: PAGE, ROBERT ATTY: SPITZE, CHERIE ESQ
RESP: PAGE, PAMELA K ATTY: CALDERWOOD, BRUCE G ESQ
Service Date/Type: 01/23/06 PRS Answer Date: 02/17/06
NKA: WHEELER, PAMELA K
CLAMNT: CALIFORNIA PUBLIC EMPLOYEES RETIR

Tentative Ruling: It appears all previously contested matters are settled and there shall be no further case management absent request or order. The case final disposition date shall be the date of judgment 12/17/07.

10. 2:00 PM Case: CV33089 [S] MARSHALL v MARSHALL
Type: DISSOLUTION WITH MINOR CHILDRE Date Filed: 10/19/06
Event: TRIAL SETTING P= 8
AT-ISSUE MEMORANDUM FILED
06/09/08 2:00 1A FURTHER CASE MANAGEMENT CONF-FAMILY LAW

PETNR: MARSHALL, NANCY H. ATTY: CALDERWOOD, BRUCE G ESQ
MINOR: MARSHALL MINORS ATTY: AIROLA (P.D.), STEVEN J.
RESP: MARSHALL, MICHAEL J. ATTY: YANKOVSKY, KRISTINE ESQ
Service Date/Type: 10/23/06 PRS Answer Date: 11/07/06

Tentative Ruling: There are temporary custody and support orders. The proper disclosures have been exchanged. The matter is set for Settlement and Trial Setting Conference (See Local Rule 5.9(b)) at 3:00 PM in Dept. 1A on 6/9/08.

11. 2:00 PM Case: CV33316 [S] GLASS v GLASS
Type: DISSOLUTION WITH MINOR CHILDRE Date Filed: 01/02/07
Event: FURTHER CASE MANAGEMENT CONF-JUDGMENT P= 8

Related cases NOT on this calendar: CV33585 ,
PETNR: GLASS, RONALD ATTY: CALDERWOOD, BRUCE G ESQ
RESP: GLASS, ANTOINETTE ATTY: IN PRO PER
Service Date/Type: 00/00/00 Answer Date: 02/01/07

Tentative Ruling: There is a permanent custody order. The proper disclosures have been exchanged. The matter is set for Settlement and Trial Setting Conference (See Local Rule 5.9(b)) at 3:00 PM in Dept. 1A on 6/23/08.

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12. 2:00 PM Case: CV34098 [S] GARRY v GARRY
Type: DISSOLUTION WITH MINOR CHILDRE Date Filed: 09/26/07
Event: TRIAL SETTING P= 8
AT-ISSUE MEMORANDUM FILED
05/12/08 2:00 1A FURTHER CASE MANAGEMENT CONF-FAMILY LAW

Related cases NOT on this calendar: CV34084 , C13219 ,
PETNR: GARRY, STEPHANIE ATTY: DAKOPOLOS, HELENA M ESQ
RESP: GARRY, TIMOTHY ATTY: CHAVEZ-OCHOA LAW OFFICES INC.
Service Date/Type: 00/00/00 Answer Date: 10/29/07

Tentative Ruling: Petitioner's counsel is no longer active with the State Bar and the court has no verified address for the Petitioner. Respondent's counsel is directed to provide the court with a mailing address for Petitioner. Petitioner is directed to complete Judicial Council Form MC-40. After review of the file, the matter is set for a further Case Management Conference in Dept. 1A at 2:00 PM on 6/23/08.

13. 2:00 PM Case: FL22684 [S] COSTELLO v TUTTLE
Type: DISSOLUTION WITHOUT MINOR CHIL Date Filed: 02/29/96
Priority Info: 170.3 JEM
Event: FURTHER CASE MANAGEMENT CONF-FAMILY LAW P= 8

PETNR: COSTELLO, JULIA G. ATTY: BABITZKE, MICHAEL F. ESQ
RESP: TUTTLE, JEFFREY E. ATTY: VALEN, LAW OFFICES OF MARK
Service Date/Type: 00/00/00 Answer Date: 04/10/03

Tentative Ruling: The case is At-Issue and is set for Settlement Conference in Dept. 1A approximately 120 days out and for Trial in Dept. 6 (before Judge Thomas Smith) approximately 150 days out. The clerk's office shall provide a pretrial order with dates and times. Estimated trial length: ½ day court trial.

14. 2:00 PM Case: CV33583 [S] MOSS v MOSS
Type: DISSOLUTION WITH MINOR CHILDRE Date Filed: 04/03/07
Event: FURTHER CASE MANAGEMENT CONF-JUDGMENT

PETNR: MOSS, MITCHEL R. ATTY: IN PRO PER
RESP: MOSS, SANDRA M. ATTY: IN PRO PER
Service Date/Type: 05/04/07 PER Answer Date: 07/11/07

Tentative Ruling: There are temporary custody and support orders. The proper disclosures have been exchanged. The matter is set for Settlement and Trial Setting Conference (See Local Rule 5.9(b)) at 3:00 PM in Dept. 1A on 6/23/08.

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15. 2:00 PM Case: CV34177 [S] ARAGON v ARAGON
Type: DISSOLUTION WITH MINOR CHILDRE Date Filed: 10/29/07
Event: FURTHER CASE MANAGEMENT CONF-FAMILY LAW

Related cases NOT on this calendar: C13111 , C13022 , CV34246 ,
PETNR: ARAGON, JANET M. ATTY: IN PRO PER
RESP: ARAGON, EDWARD P. ATTY: IN PRO PER
Service Date/Type: 11/05/07 PER Answer Date: 12/12/07

Tentative Ruling: There is a Criminal Protective Order that allows peaceful contact regarding the parties child. Petitioner has filed the appropriate disclosures. Respondent is ordered to serve and file a Preliminary Declaration of Disclosure (FL-141) prior to the next hearing. Respondent is ordered to serve and file a Final Declaration of Disclosure (FL-141) prior to the next hearing. Failure to file the disclosures will result in substantial evidentiary sanctions upon Respondent (See Fam § 2105 et. seq.). After review of the file, the matter is set for a further Case Management Conference in Dept. 1A at 2:00 PM on 7/21/08.

16. 2:00 PM Case: CV34286 [S] BEATTY v LOPEZ
Type: DISSOLUTION WITH MINOR CHILDRE Date Filed: 12/12/07
Event: CASE MANAGEMENT CONFERENCE-FAMILY LAW

PETNR: BEATTY, LISA M ATTY: IN PRO PER
RESP: LOPEZ, JOHN A P-36529 A2-228L ATTY: IN PRO PER
Service Date/Type: 12/28/07 PER Answer Date: 02/22/08

Tentative Ruling: Apparently, Petitioner has a new mailing address. Petitioner is ordered to complete and file Judicial Council form MC-040. Petitioner is ordered to serve and file a Preliminary Declaration of Disclosure (FL-141) prior to the next hearing. Respondent is ordered to serve and file a Preliminary Declaration of Disclosure (FL-141) prior to the next hearing. After review of the file, the matter is set for a further Case Management Conference in Dept. 1A at 2:00 PM on 7/21/08.

17. 2:00 PM Case: CV34298 [S] FEENEY v FEENEY
Type: DISSOLUTION WITHOUT MINOR CHIL Date Filed: 12/17/07
Event: CASE MANAGEMENT CONFERENCE-FAMILY LAW

PETNR: FEENEY, CYNTHIA SUDDUTH ATTY: IN PRO PER
RESP: FEENEY, SEAN
Service Date/Type: 01/04/08 PER 00/00/00

Tentative Ruling: There is Proof of Service but no Response (FL-120) or Default (FL-165). Prior to the next CMC, unless a Response is filed, Petitioner must file the Request for Default or dismiss the action. The CMC is set for Dept 1A at 2:00 PM on 7/21/08.

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18. 2:00 PM Case: CV34308 [S] STRAHORN v EVANS
Type: ESTABLISH PARENTAL RELATIONSHI Date Filed: 12/20/07
Priority Info: CONFIDENTIAL FILE
Event: CASE MANAGEMENT CONFERENCE; PETITIONER'S
OSC FOR CUSTODY AND VISITATION

Related cases NOT on this calendar: CV19626 , CV22083 ,
PETNR: STRAHORN, DAVID N ATTY: IN PRO PER
RESP: EVANS, BARBARA
Service Date/Type: 01/02/08 PER 00/00/00

Tentative Ruling: The court takes judicial notice of the Judgment of Parentage concerning these parties and children in case number CV22083. There is Proof of Service but no Response or Default. Prior to the next CMC, unless a Response is filed, Petitioner must file the Request for Default or dismiss the action. The CMC is set for Dept 1A at 2:00 PM on 7/21/08.

19. 2:00 PM Case: CV34403 [S] RAY v RAY
Type: DISSOLUTION WITHOUT MINOR CHIL Date Filed: 02/08/08
Event: TRIAL SETTING
AT-ISSUE MEMORANDUM FILED
06/09/08 2:00 1A CASE MANAGEMENT CONFERENCE-FAMILY LAW

PETNR: RAY, EDITH ATTY: IN PRO PER
RESP: RAY, JERRY L ATTY: IN PRO PER
Service Date/Type: 02/14/08 PER Answer Date: 03/07/08

Tentative Ruling: This is a long term marriage and there is no proof the parties have exchanged the proper disclosures. Petitioner is ordered to serve and file a Preliminary Declaration of Disclosure (FL-141) prior to the next hearing. Respondent is ordered to serve and file a Preliminary Declaration of Disclosure (FL-141) prior to the next hearing. After review of the file, the matter is set for a further Case Management Conference in Dept. 1A at 2:00 PM on 6/9/08.

20. **3:00 PM** Case: CV32833 [S] FISCUS v FISCUS
Type: DISSOLUTION WITHOUT MINOR CHIL Date Filed: 07/18/06
Event: SETTLEMENT CONFERENCE/TRIAL SETTING

PETNR: FISCUS, ISABELLA ATTY: IN PRO PER
AKA: FUDGE, ISABELLA
RESP: FISCUS, MICHAEL ATTY: CHAVEZ-OCHOA LAW OFFICES INC.
Service Date/Type: 07/18/06 PER Answer Date: 08/08/06
CLAMNT: CALIFORNIA PUBLIC EMPLOYEES RETIR

Tentative Ruling: There is no Tentative Ruling on this case. The parties, or their legal counsel if represented, are ordered to appear. Neither party has filed a timely settlement conference statement.

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21. 3:00 PM Case: CV32851 [S] GONZALEZ-COCKERTON v COCKERTON
Type: DISSOLUTION WITHOUT MINOR CHILD Date Filed: 07/24/06
Event: SETTLEMENT CONFERENCE-FAMILY LAW
04/24/08 9:00 1 COURT TRIAL - FAMILY LAW
06/30/08 2:00 1A FURTHER CASE MANAGEMENT CONF-JUDGMENT

PETNR: GONZALEZ-COCKERTON, MARY ATTY: CALDERWOOD, BRUCE G ESQ
RESP: COCKERTON, WAYNE ATTY: TRIFILO, JOHN J. ESQ
Service Date/Type: 07/27/06 PRS Answer Date: 08/28/06
CLAMNT: CALIFORNIA PUBLIC EMPLOYEES RETIR
Service Date/Type: 10/17/06 NAR 00/00/00

Tentative Ruling: There is no Tentative Ruling on this case. The parties, or their legal counsel if represented, are ordered to appear. Nither party has filed a timely settlement conference statement.